

AUTO CR - LOG SUMMARY #1067307

TYPE: INFO

Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
(None Entered)			

Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Reporting Party Third Party						M			

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
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Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	CERDA, JORGE	10607		313 /	POLICE OFFICER	ON Duty	Victim alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF agent.
CPD Employee	Accused	PERAINO, PAUL	21404		313 /	PO AS DETECTIVE	ON Duty	Victim alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF agent.
CPD Employee	Accused	PETRACCO, CORY	2545		313 /	SERGEANT OF POLICE	ON Duty	Victim alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF agent.
CPD Employee	Accused	KRUGER, KARL	1505		313 /	SERGEANT OF POLICE	ON Duty	Victim alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF agent.
CPD Employee	Accused	CHERNIK, MICHAEL	20530		313 /	PO AS DETECTIVE	ON Duty	Victim alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF agent.

Other Involved Parties

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Victim/Subject						M		CHICAGO	

Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party		CERDA, JORGE	NO RELATIONSHIP
Reporting Party Third Party		CHERNIK, MICHAEL	NO RELATIONSHIP
Reporting Party Third Party		PETRACCO, CORY	NO RELATIONSHIP
Reporting Party Third Party		PERAINO, PAUL	NO RELATIONSHIP
Reporting Party Third Party		KRUGER, KARL	NO RELATIONSHIP
Reporting Party Third Party			OTHER

Incident Details

CR Required?		Manner Incident Received?	OTHER
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N

Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Civil Suit Settled Date:	
Notify Chief Administrator?	N	Notify Chief?	
Notify Coordinator?		Notification Does Not Apply?	Y
Notification Other?	N		
Notification Comments:			

## Incident Category List

Incident Category	Primary?	Initial?
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST		N
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST	Y	Y

## Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
WARD, DAVINA	Primary	GENERAL INVESTIGATION SECTION	04-FEB-2014	06-MAR-2014	20-FEB-2014	16
SOLIS, MARCELLA	Supervisor	GENERAL INVESTIGATION SECTION	04-FEB-2014	06-MAR-2014	20-FEB-2014	

## Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
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## Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
CERDA, JORGE	1	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH	ILLEGAL ARREST / FALSE ARREST	NO AFFIDAVIT
CHERNIK, MICHAEL	1	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH	ILLEGAL ARREST / FALSE ARREST	NO AFFIDAVIT
PETRACCO, CORY	1	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH	ILLEGAL ARREST / FALSE ARREST	NO AFFIDAVIT
PERAINO, PAUL	1	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH	ILLEGAL ARREST / FALSE ARREST	NO AFFIDAVIT
KRUGER, KARL	1	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH	ILLEGAL ARREST / FALSE ARREST	NO AFFIDAVIT

## Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	25-FEB-2014 11:12	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	25-FEB-2014 11:11	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	20-FEB-2014 01:16	WARD, DAVINA	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	04-FEB-2014 01:52	SPELLMAN, JOHN	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	04-FEB-2014 10:03	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	
PENDING APPROVE TEAM	04-FEB-2014 08:15	DEL RIVERO, MINERVA	POLICE OFFICER	121 /	Per ICLEAR-no arrest found based on info given.
PENDING ASSIGN TEAM	03-FEB-2014 02:54	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	03-FEB-2014 02:53	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	

## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
PRELIMINARY	03-FEB-2014 02:53	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	check
PENDING SUPERVISOR REVIEW	03-FEB-2014 01:50	TOUSANT, LISA	INTAKE AIDE	113 /	
PRELIMINARY	03-FEB-2014 01:30	TOUSANT, LISA	INTAKE AIDE	113 /	

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	FACE SHEET					TOUSANT, LISA	03-FEB-2014 01:30			
1	INVESTIGATION					WARD, DAVINA	04-FEB-2014 02:01			
2	CONFLICT CERTIFICATION					WARD, DAVINA	04-FEB-2014 02:03			
3	DOCUMENTS - INVESTIGATION		1	Sworn Affidavit: Non-Cooperation	Y	WARD, DAVINA	19-FEB-2014 12:14	APPROVED		
4	DOCUMENTS - INTAKE INCIDENT		1		N	TOUSANT, LISA	03-FEB-2014 01:50	APPROVED		
5	DOCUMENTS - INVESTIGATION		15		Y	WARD, DAVINA	07-FEB-2014 08:55	APPROVED		
6	DOCUMENTS - INVESTIGATION		1		Y	WARD, DAVINA	19-FEB-2014 03:46	APPROVED	Y	
7	DOCUMENTS - INVESTIGATION		2		Y	WARD, DAVINA	07-FEB-2014 09:03	APPROVED		
8	DOCUMENTS - INVESTIGATION		1		Y	WARD, DAVINA	19-FEB-2014 12:18	APPROVED		
9	DOCUMENTS - INVESTIGATION		1		Y	WARD, DAVINA	19-FEB-2014 03:47	APPROVED		
10	DOCUMENTS - INVESTIGATION		1		Y	WARD, DAVINA	20-FEB-2014 10:05	APPROVED		
11	DOCUMENTS - INVESTIGATION		2	Arrest Report Query	Y	WARD, DAVINA	20-FEB-2014 10:18	APPROVED		
	DOCUMENTS - INVESTIGATION		5		Y	WARD, DAVINA	20-FEB-2014 01:05	APPROVED		

## Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
LEUTENANT REVIEW		SUBMITTED	SOLIS, MARCELLA	SERGEANT OF POLICE	121	25-FEB-2014 11:12	
SERGEANT REVIEW		SUBMITTED	SOLIS, MARCELLA	SERGEANT OF POLICE	121	25-FEB-2014 11:11	

## Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
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## Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
CERDA, JORGE	1. The reporting party alleges that he was wrongfully charged w...	WARD, DAVINA	20-FEB-2014 01:16			NO AFFIDAVIT	
CHERNIK, MICHAEL	1. The reporting party alleges that he was wrongfully charged w...	WARD, DAVINA	20-FEB-2014 01:16			NO AFFIDAVIT	
KRUGER, KARL	1. The reporting party alleges that he was wrongfully charged w...	WARD, DAVINA	20-FEB-2014 01:16			NO AFFIDAVIT	
PERAINO, PAUL	1. The reporting party alleges that he was wrongfully charged w...	WARD, DAVINA	20-FEB-2014 01:16			NO AFFIDAVIT	
PETRACCO, CORY	1. The reporting party alleges that he was wrongfully charged w...	WARD, DAVINA	20-FEB-2014 01:16			NO AFFIDAVIT	

## Accused Penalty History

## Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
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## Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
CERDA, JORGE	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	
CHERNIK, MICHAEL	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	
PETRACCO, CORY	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	
PERAINO, PAUL	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	
KRUGER, KARL	The reporting party alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF Agent.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	

# FACE SHEET (Notification Date: 03-FEB-2014) - LOG #1067307

TYPE: INFO

## Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Reporting Party Third Party						M			

## Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
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## Accused Members

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## Incident Details

CR Required?		Manner Incident Received?	OTHER
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Notify Chief?	
Notify Chief Administrator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

## Initial Incident Category List

Initial Incident Category	Primary?
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST	
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST	Y

## Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	GENERAL INVESTIGATION SECTION	SOLIS, MARCELLA (SUPERVISOR)	04-FEB-2014 13:52	SPELLMAN, JOHN	
IAD	GENERAL INVESTIGATION SECTION	WARD, DAVINA (PRIMARY INV)	04-FEB-2014 13:52	SPELLMAN, JOHN	

## Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	GENERAL INVESTIGATION SECTION	-	04-FEB-2014 08:15	DEL RIVERO, MINERVA	
IAD	INTERNAL AFFAIRS DIVISION	-	03-FEB-2014 13:30	TOUSANT, LISA	

## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	25-FEB-2014 11:12	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	25-FEB-2014 11:11	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	20-FEB-2014 01:16	WARD, DAVINA	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	04-FEB-2014 01:52	SPELLMAN, JOHN	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	04-FEB-2014 10:03	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	
PENDING APPROVE TEAM	04-FEB-2014 08:15	DEL RIVERO, MINERVA	POLICE OFFICER	121 /	Per ICLEAR-no arrest found based on info given.
PENDING ASSIGN TEAM	03-FEB-2014 02:54	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	03-FEB-2014 02:53	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PRELIMINARY	03-FEB-2014 02:53	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	check
PENDING SUPERVISOR REVIEW	03-FEB-2014 01:50	TOUSANT, LISA	INTAKE AIDE	113 /	
PRELIMINARY	03-FEB-2014 01:30	TOUSANT, LISA	INTAKE AIDE	113 /	



**SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION**  
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS     )  
                                      )     CC  
COUNTY OF COOK     )

Location of Incident	Date	Time
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Summary of Statement(s):

I, \_\_\_\_\_ hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

\_\_\_\_\_  
Print Affiant's Name

\_\_\_\_\_  
Print Witness' Name

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Witness' Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

3 FEBRUARY 2014

CIVIL SUIT NUMBER [REDACTED]

NAME OF DEFENDANT(S) OR OFFICER (S)

P.O. JORGE CERDA #10607	EMP	[REDACTED]	UNIT# 313 DOA 02 MAY1994
P.O. MICHAEL R. CHERNIK #3491	EMP	[REDACTED]	UNIT# 313 DOA 13 OCT 1998
P.O. KARL D. KRUGER #17501	EMP	[REDACTED]	UNIT# 313 DOA 22 MAY 2006
P.O. PAUL R. PERAINO #15396	EMP	[REDACTED]	UNIT# 313 DOA18 DEC 2000
P.O. CORY C. PETRACCO #18314	EMP	[REDACTED]	UNIT# 313 DOA 25 OCT 2004

LOCATION OF INCIDENT UNKNOWN LOCATION

DATE &amp; TIME OF INCIDENT OCTOBER 27, 2010 UNK HRS

NAME OF PLAINTIFF'S ATTORNEY [REDACTED]

ADDRESS [REDACTED]

TELEPHONE [REDACTED]

NAME OF PLAINTIFF (S) VICTIM [REDACTED]

M UNK DOB

ALLEGATION (S): Victim alleges that he was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF agent.

COMPLAINT REGISTER NUMBER

1067307

UNIT ASSIGNED TO INVESTIGATION

BUREAU OF INTERNAL  
AFFAIRS



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

[REDACTED]

CASE NUMBER: [REDACTED]

V.

ASSIGNED JUDGE: Honorable John W. Darrah

Agent Larissa Baccus, et al.

DESIGNATED  
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

Officer Paul Peraino  
Chicago Police Department, Office of Legal Affairs  
3510 S. Michigan Ave., 5th Floor  
Chicago, IL 60653

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

[REDACTED]

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

(By) DEPUTY CLERK  
THOMAS G. BRUTON, CLERK

*Jaclyn R. Kieley*

(By) DEPUTY CLERK



DATE

December 3, 2013

DATE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

[REDACTED]

CASE NUMBER:

[REDACTED]

V.

ASSIGNED JUDGE: Honorable John W. Darrah

Agent Larissa Baccus, et al.

DESIGNATED  
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

Officer Karl Kruger  
Chicago Police Department, Office of Legal Affairs  
3510 S. Michigan Ave., 5th Floor  
Chicago, IL 60653

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

[REDACTED]

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

(By) THOMAS G. BRUTON, CLERK

*[Signature]*

(By) DEPUTY CLERK

FILED  
07 60  
DEC 3 2013  
DATE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

[REDACTED]

CASE NUMBER:

[REDACTED]

V.

ASSIGNED JUDGE: Honorable John W. Darrah

Agent Larissa Baccus, et al.

DESIGNATED  
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

Officer Cory Petracco  
Chicago Police Department, Office of Legal Affairs  
3510 S. Michigan Ave., 5th Floor  
Chicago, IL 60653

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

[REDACTED]

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

(By) DEPUTY CLERK  
THOMAS G. BRUTON, CLERK

*Jaclyn Pickey*

(By) DEPUTY CLERK



DATE

December 3, 2013

DATE

OFFICE OF LEGAL AFFAIRS  
DEC 13 1 09 PM '13

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

CASE NUMBER: [REDACTED]

ASSIGNED JUDGE: Honorable John W. Darrah

DESIGNATED  
MAGISTRATE JUDGE:

V.

Agent Larissa Baccus, et al.

TO: (Name and address of Defendant)

Officer Jorge Cerda  
Chicago Police Department, Office of Legal Affairs  
3510 S. Michigan Ave., 5th Floor  
Chicago, IL 60653

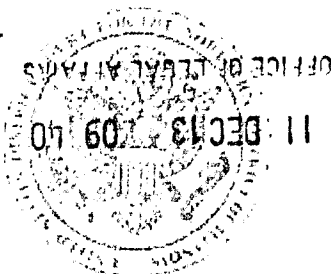
**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

(By) DEPUTY CLERK THOMAS G. BRUTON, CLERK

(By) DEPUTY CLERK



DATE

December 3, 2013

DATE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

CASE NUMBER: [REDACTED]

ASSIGNED JUDGE: Honorable John W. Darrah

DESIGNATED  
MAGISTRATE JUDGE:

V.

Agent Larissa Baccus, et al.

TO: (Name and address of Defendant)

Officer Michael Chernik  
Chicago Police Department, Office of Legal Affairs  
3510 S. Michigan Ave., 5th Floor  
Chicago, IL 60653

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

(By) DEPUTY CLERK THOMAS G. BRUTON, CLERK

(By) DEPUTY CLERK



DATE

OFFICE OF LEGAL AFFAIRS  
December 3, 2013  
61338

DATE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

[REDACTED]	)	
	)	
Plaintiff,	)	No.
	)	
v.	)	
	)	
AGENT LARISSA BACCUS, AGENT JOHN	)	
ROTUNNO, AGENT KEVIN CRONIN,	)	
AGENT ANDREW TRAVER, AGENT RYAN	)	
MCBRIDE, AGENT ANDY KARCESKI,	)	
AGENT TONY HEISERMAN, AGENT	)	
PATRICK MURPHY, AGENT ROMIRO	)	
MONTEZ, OFFICER KARL KRUGER,	)	
OFFICER MICHAEL CHERNIK, OFFICER	)	
JORGE CERDA, OFFICER CORY	)	
PETRACCO, OFFICER PAUL PERAINO,	)	
CITY OF CHICAGO, UNITED STATES OF	)	
AMERICA,	)	
	)	
Defendants.	)	JURY TRIAL DEMANDED

COMPLAINT

Plaintiff, [REDACTED] by his attorneys [REDACTED] files this Complaint against Defendants, Agent Larissa Baccus, Agent John Rotunno, Agent Kevin Cronin, Agent Andrew Traver, Agent Ryan McBride, Agent Andy Karceski, Agent Tony Heiserman, Agent Patrick Murphy, Agent Ramiro Montez, Officer Karl Kruger, Officer Michael Chernik, Officer Jorge Cerda, Officer Cory Petracco, Officer Paul Peraino, the City of Chicago, and the United States of America, and states as follows:

### **Introduction**

1. This action seeks redress for the Defendants' violations of the United States Constitution and the law of the State of Illinois, among others.
2. Plaintiff [REDACTED] spent thirteen months detained at Cook County Jail for a crime that he did not commit.
3. Plaintiff's wrongful detainment was the direct result of intentional misconduct on the part of the Defendants. Plaintiff brings this action seeking redress for the economic, physical, and mental injuries suffered as of a result of the Defendants' malicious and unlawful conduct.

### **Jurisdiction and Venue**

4. This Court has jurisdiction of the action pursuant to 28 U.S.C. §§ 1331 and 1367.
5. Venue is proper under 28 U.S.C. § 1391. On information and belief, Defendants reside in this judicial district, and the events giving rise to the claims asserted herein occurred in this judicial district.

### **Parties**

6. Plaintiff, [REDACTED] is an adult resident of the State of Illinois.
7. At all times relevant hereto, Defendant Larissa Baccus was a Special Agent of the Bureau of Alcohol, Firearms, Tobacco, and Explosives (the "ATF"). At all times relevant hereto, Defendant Baccus worked in the ATF's Chicago Office and was employed by Defendant United States of America. On information and belief, Defendant Baccus is a resident of the State of Illinois.



8. At all times relevant hereto, Defendant John Rotunno was a Special Agent of the ATF. At all times relevant hereto, Defendant Rotunno worked in the ATF's Chicago Office and was employed by Defendant United States of America. On information and belief, Defendant Rotunno is a resident of the State of Illinois.

9. At all times relevant hereto, Defendant Kevin Cronin was a Special Agent and Group Supervisor of the ATF. At all times relevant hereto, Defendant Cronin worked for the ATF's Chicago Office and was employed by Defendant United States of America. On information and belief, Defendant Cronin is a resident of the State of Illinois.

10. At all times relevant hereto, Defendant Andrew Traver was a Special Agent in Charge of the ATF. At all times relevant hereto, Defendant Traver worked for the ATF's Chicago Office and was employed by Defendant United States of America. On information and belief, Defendant Traver is a resident of the State of Illinois.

11. At all times relevant hereto, Defendants Ryan McBride, Any Karceski, and Tony Heiserman were Special Agents of the ATF. At all times relevant hereto, Defendants McBride, Karceski, and Heiserman worked for the ATF's Chicago Office and were employed by Defendant United States of America. On information and belief, Defendants McBride, Karceski, and Heiserman are residents of the State of Illinois.

12. At all times relevant hereto, Defendants Patrick Murphy and Ramiro Montez were Special Agents of the Illinois State Police. On information and belief, Defendants Murphy and Montez are residents of the State of Illinois.

13. At all times relevant hereto, Defendants Karl Kruger, Michael Chernik, Jorge Cerda, Cory Petracco, and Paul Peraino were officers of the Chicago Police Department. At all times relevant hereto, Defendants Kruger, Chernik, Cerda, Petracco, and Peraino were employed by Defendant City of Chicago. On information and belief, Defendants Kruger, Chernik, Cerda, Petracco, and Peraino are residents of the State of Illinois.

14. Defendant City of Chicago is a municipal corporation under the laws of the State of Illinois.

### **Background**

15. On October 27, 2010 Plaintiff was wrongfully charged with two counts of delivery of a controlled substance to an undercover ATF agent pursuant to 720 ILCS 570/402(c). Despite the fact that the ATF's own evidence in the case proved that Plaintiff was innocent, Plaintiff spent thirteen months in Cook County Jail for a crime he did not commit.

16. The charges against Plaintiff stemmed from an undercover ATF drug purchase from October 30, 2009 in which the ATF alleged that Plaintiff sold narcotics to Defendant Baccus and to a confidential informant who was working for the ATF (ATF Confidential Informant: [REDACTED] (the "CI").

17. The October 30, 2009 undercover drug purchase was itself a part of a larger undercover ATF operation known as the "Walton Street Neighborhood Investigation" which involved multiple agents from the ATF's Chicago office, the Illinois State Police, and the Chicago Police Department.

18. According to the ATF, the alleged drug purchase between Plaintiff and Defendant Baccus and the CI was captured by audio, video, and transmitting devices hidden in the undercover ATF vehicle in which the drug purchase is alleged to have taken place. The audio, video, and transmitting devices in the undercover ATF vehicle were controlled by Defendants Baccus and Rotunno.

19. Defendant Baccus and the CI were supervised in this undercover operation, including the October 30, 2009 drug purchase, by Defendants Rotunno, Cronin, and Traver.

20. For the purposes of the October 30, 2009 drug purchase, Defendants McBride, Karceski, Heiserman, Murphy, Montez, Kruger, Chernik, Cerda, Petracco, and Peraino provided, among other duties, surveillance for Defendant Baccus and the CI.

21. While Defendant Baccus and the CI took part in a controlled drug purchase on October 30, 2009 pursuant to the undercover operation described above, that drug purchase did not involve Plaintiff. In fact, the October 30, 2009 drug purchase was captured by the audio, video, and transmitting devices hidden in the undercover vehicle used during the drug purchase itself. This audio and video clearly shows that Plaintiff had nothing to do with this drug purchase whatsoever.

22. Indeed, even a cursory review of the ATF's own audio and video of the undercover operation from inside the ATF vehicle used during the drug purchase demonstrates that the individual from which Defendant Baccus and the CI purchased drugs was not Plaintiff.

23. Despite this clear audio and video evidence of Plaintiff's innocence, and despite the fact that the ATF had nearly an entire year to review their own evidence prior to charging Plaintiff (the undercover operation took place on October 30, 2009 while Plaintiff was charged on October 27, 2010), Plaintiff was nevertheless wrongfully charged without cause with two counts of delivery of a controlled substance.

24. On information and belief, Plaintiff's public criminal defense counsel made repeated attempts to have the ATF agents involved in the investigation, as well as State prosecutors, review the video evidence, but to no avail.

25. On information and belief, Defendant Baccus was subpoenaed multiple times to provide testimony regarding the undercover investigation but failed to appear in court despite the subpoenas.

26. On information and belief, Defendant Rotunno provided testimony to the Grand Jury regarding Plaintiff that he knew, or should have known, to be false. Defendant Rotunno also filled out and signed a criminal complaint against Plaintiff despite knowing that he did not have probable cause to do so.

27. On information and belief, Defendants employed a CI in the course of their investigation that they knew to be unreliable. Defendants also allowed the CI

to provide testimony to the Grand Jury they knew, or should have known, to be false.

28. All of the charges against Plaintiff were dismissed in a manner indicative of his innocence. However, as a result of the Defendants' misconduct, Plaintiff spent approximately thirteen months unlawfully detained.

### **Legal Claims**

29. Each of the Paragraphs in this Complaint is incorporated as if restated fully herein.

30. Plaintiff asserts the following Bivens claims against federal Defendants Baccus, Rotunno, Cronin, Traver, McBride, Karceski, and Heiserman, FTCA claims against Defendant United States of America, and Section 1983 and state law claims against Defendants Murphy, Montez, Kruger, Chernik, Cerda, Petracco, Peraino, and Defendant City of Chicago.

31. As described more fully above, all of the Defendants, while acting individually, jointly, and in conspiracy, as well as under color of law and within the scope of their employment, deprived Plaintiff of his constitutional rights.

32. During the constitutional violations described in this Complaint, one or more of the Defendants stood by without intervening to prevent the misconduct described herein. As a result of the Defendants' failure to intervene to prevent the violation of Plaintiff's constitutional rights, Plaintiff suffered pain and injury, as well as emotional distress. These Defendants had a reasonable opportunity to prevent this harm but failed to do so. Defendants' misconduct was objectively

unreasonable and was undertaken with willful indifference to Plaintiff's constitutional rights.

33. The Defendants' misconduct caused Plaintiff to be maliciously prosecuted in a manner actionable under both federal and state law. Plaintiff was improperly subjected to judicial proceedings for which there was no legitimate probable cause or legal justification. These judicial proceedings were instituted maliciously, resulting in injury, and all such proceedings were terminated in a manner indicative of Plaintiff's innocence.

34. One or more of the Defendants accused Plaintiff of criminal activity knowing that those accusations were without probable cause or legal justification. This misconduct was undertaken with malice, willfulness, and reckless indifference to the rights of others. As a result of this misconduct, Plaintiff suffered pain and injury, as well as emotional distress.

35. The Defendants misconduct also caused Plaintiff to be detained without cause or legal justification. As described more fully above, the Defendants' misconduct caused Plaintiff to be unlawfully and unreasonably imprisoned without justification. This misconduct was undertaken with malice, willfulness, and reckless indifference to the rights of others. As a result of this misconduct, Plaintiff suffered pain and injury, as well as emotional distress.

36. The acts and conduct of one or more of the Defendants as set forth above were extreme and outrageous. Defendants either intended that their conduct would cause severe emotional distress to the Plaintiff or else knew that there was a

high probability that their conduct would cause severe emotional distress to Plaintiff. Defendants' misconduct was undertaken with malice, willfulness, and reckless indifference to the rights of others. As a proximate result of this misconduct, Plaintiff suffered pain and injury, including severe emotional distress.

37. In committing the acts alleged herein, Defendants Baccus, Rotunno, Cronin, Traver, McBride, Karceski, and Heiserman, as well as other federal employees and agents, were employees of Defendant United States of America, acting at all relevant times within the scope of their employment, under color of law, and under circumstances where the United States, if a private person, would be liable to Plaintiff in accordance with the law of Illinois.

38. In committing the acts alleged herein, Defendants Kruger, Chernik, Cerda, Petracco, and Peraino were members of, and agents of, the Chicago Police Department, acting at all relevant times within the scope of their employment and under color of law. Defendant City of Chicago is liable as a principal for all of the torts committed by its agents.

39. Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

WHEREFORE, Plaintiff, [REDACTED] respectfully requests that this Court enter judgment in his favor and against Defendants Agent Larissa Baccus, Agent John Rotunno, Agent Kevin Cronin, Agent Andrew Traver, Agent Ryan McBride,



Agent Andy Karceski, Agent Tony Heiserman, Agent Patrick Murphy, Agent Ramiro Montez, Officer Karl Kruger, Officer Michael Chernik, Officer Jorge Cerda, Officer Cory Petracco, Officer Paul Peraino, the City of Chicago, and the United States of America, awarding compensatory damages, attorneys' fees, and costs against each Defendant, and punitive damages against each of the individual Defendants, as well as any other relief this Court deems appropriate.

JURY DEMAND

Plaintiff, [REDACTED] hereby demands trial by jury pursuant to Federal Rule of Civil Procedure 38(b) on all issues so triable.

Respectfully submitted,

/s/ [REDACTED]  
Attorneys for Plaintiff



BUREAU OF INTERNAL AFFAIRS  
Investigations Division  
General Investigations Section

19 February 2013  
Log No.: 1067307

TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Sergeant Davina Ward, Star #2268  
Investigations Division  
General Investigations Section

SUBJECT: Telephone Contact

On 04 February 2013 the undersigned contacted reporting party [REDACTED] via telephone. The undersigned left a voicemail message for [REDACTED]. The undersigned mailed a certified letter, reference article number [REDACTED] to addressee [REDACTED] on 04 February 2013. The undersigned contacted reporting party [REDACTED] on 07 February 2013 and was referred to reporting [REDACTED] voicemail in which the undersigned left a second message.

Sgt. Davina Ward, Star #2268  
Investigations Section  
General Investigations Section



Department of Police \* City of Chicago  
3510 South Michigan Avenue \* Chicago, Illinois 60653

---

Date 04 February 2014

Re: C. L. No. 1067307

Dear [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

Please contact me as soon as possible so that I can make arrangements to meet with you regarding the incident under investigation. The following information is provided so that you can contact me without unnecessary inconvenience:

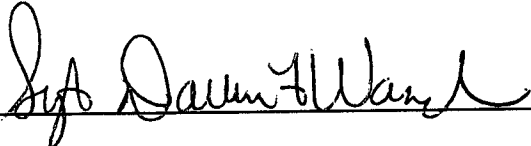
Name: Sgt. Davina Ward

Address: 3510 S. Michigan Ave

Telephone: 312-745-6310

Hours Available: 09:00 a.m. - 03:00 p.m.

Sincerely,

  
\_\_\_\_\_

CPD-44.223 (REV. 1/07)

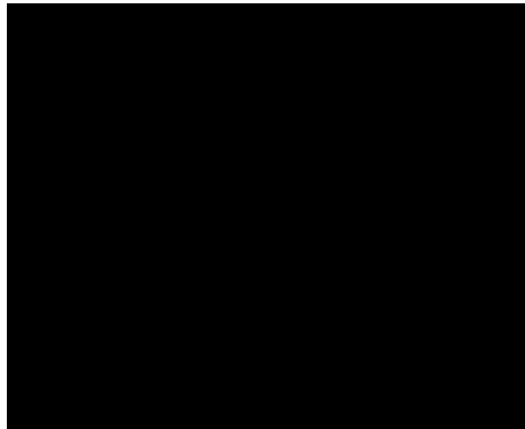
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Emergency: 9-1 -1 \* Non-Emergency: (Within City limits) 3-1 -1 \* Non-Emergency: (Outside City limits) 312-746-6000  
TTY: 312-746-9715 \* E-mail: [police@ci.chi.il.us](mailto:police@ci.chi.il.us) \* Website: [www.ci.chi.il.us/CAPS](http://www.ci.chi.il.us/CAPS)

CPD 0246321



**Sgt. Davina Ward**  
Unit 121 - 1067307  
3510 S. Michigan  
Chicago, IL 60653



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature <b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
1. Article Addressed to: 		B. Received by (Printed Name)	C. Date of Delivery
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label) 		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service <sup>TM</sup>	
CERTIFIED MAIL <sup>TM</sup> RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>SCD EWRDC ILA 116 USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**REDUCED MAIL**



Search USPS.com or Track Packages

## Quick Tools

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Enter up to 10 Tracking #! Find  
Find USPS Locations  
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Schedule a Pickup  
Calculate postage  
Look Up a ZIP Code™  
Hold Mail  
Change of Address

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions



**Customer Service ›**  
Have questions? We're here to help.

Tracking Number: [REDACTED]

## Product &amp; Tracking Information

## Available Actions

## Postal Product:

**Features:**  
Certified Mail™

Email Updates

## DATE &amp; TIME

## STATUS OF ITEM

## LOCATION

February 6, 2014 , 5:26 pm

Delivered

CHICAGO, IL 60607

February 6, 2014 , 8:03 am

Out for Delivery

CHICAGO, IL 60607

February 6, 2014 , 7:53 am

Sorting Complete

CHICAGO, IL 60607

February 6, 2014 , 6:14 am

Arrival at Unit

CHICAGO, IL 60607

February 6, 2014 , 12:15 am

Processed through  
USPS Sort Facility

CHICAGO, IL 60607

February 5, 2014 , 6:43 pm

Processed through  
USPS Sort Facility

BEDFORD PARK, IL 60499

## Track Another Package

What's your tracking (or receipt) number?

Track It

## LEGAL

Privacy Policy ›  
Terms of Use ›  
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No FEAR Act EEO Data ›

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Postal Explorer ›



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BUREAU OF INTERNAL AFFAIRS  
Investigations Division  
General Investigations Section

19 February 2013  
Log No.: 1067307

TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Sergeant Davina Ward, Star #2268  
Investigations Division  
General Investigations Section

SUBJECT: Certified Mail Tracking

On 10 February 2013 the undersigned checked the United States Postal Service Tracking site for article number [REDACTED] which indicated its arrival on 06 February 2013 and notice to addressee [REDACTED] had been delivered.

As of today's date reporting party [REDACTED] has not contacted the undersigned to set up an appointment to come into the Bureau of Internal Affairs and provide a statement and sign an affidavit.

Sgt. Davina Ward, Star #2268  
Investigations Section  
General Investigations Section

BUREAU OF INTERNAL AFFAIRS  
Investigations Division  
General Investigations Section

20 February 2013  
Log No.: 1067307

TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Sergeant Davina Ward, Star #2268  
Investigations Division  
General Investigations Section

SUBJECT: Investigative Search

On 10 February 2013 the undersigned attempted to locate information on the victim/client [REDACTED] based on two separate dates that was listed in the civil complaint. The undersigned searched for any and all arrest made on 30 October 2009 and 27 October 2010 for [REDACTED] based on the charges of delivery of a controlled substance: 720 ILCS 570/402(c) with negative results. The undersigned then searched for a range in dates from 25 October 2009 – 31 October 2009 and 25 October 2010 – 31 October 2010 with negative results.

Sgt. Davina Ward, Star #2268  
Investigations Section  
General Investigations Section





Home » Arrest » Arrest Report Search/Print

Arrest Date From 25-OCT-2009



Arrest Date To 31-OCT-2009

Tracking No. /  
CB No.

Lockup -Select-

Last Name [REDACTED]

First Name [REDACTED]

District of  
Initial Approval - Select -

Beat of Arrest

Star No. (FAO)

Displayed Rows 100

No Records Found. Time for the Query to Run 1.37 Seconds

☒ **TIP** Enter the Search Criteria and Click "Search".☒ **TIP** To Search Non-Automated Arrest Records use the **CHRIS System** or the **CPD Data Warehouse**.User: [REDACTED]  
Module: 13315 \$Revision: 1.149 \$

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Home » Arrest » Arrest Report Search/Print

Arrest Date From 25-OCT-2010



Arrest Date To 31-OCT-2010

Tracking No. /  
CB No.

Lockup -Select-

Last Name [REDACTED]

First Name [REDACTED]

District of  
Initial Approval - Select -

Beat of Arrest

Star No. (FAO)

Displayed Rows 100



No Records Found. Time for the Query to Run 14.12 Seconds

☒ **TIP** Enter the Search Criteria and Click "Search".☒ **TIP** To Search Non-Automated Arrest Records use the **CHRIS System** or the **CPD Data Warehouse**.User: [REDACTED]  
Module: 13315 \$Revision: 1.149 \$

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BUREAU OF INTERNAL AFFAIRS  
Investigations Division

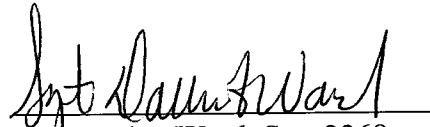
20 February 2013  
Log No.: 1067307

TO: Commanding Officer  
Investigations Division  
General Investigations Section

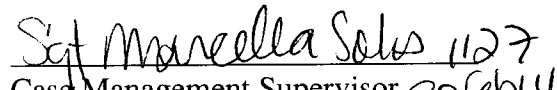
FROM: Sergeant Davina Ward, Star 2268  
Investigations Divisions  
General Investigations Section

SUBJECT: Approval of Log Investigation Number 1067307

The attached Log Investigation has been completed and is submitted for your approval.

  
Sgt. Davina Ward, Star 2268  
Investigations Division  
General Investigations Section

APPROVED:

  
Case Management Supervisor 20 Feb 14  
Investigations Division  
General Investigations Section

# SUMMARY REPORT DIGEST

## CHICAGO POLICE DEPARTMENT

LOG NO  
1067307TYPE  
INFODATE OF REPORT  
20-FEB-2014

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED**, **UNFOUNDED**, **NOT SUSTAINED**, **NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

**TO:** DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS  
**ATTENTION:** CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
WARD, DAVINA	9171	2268		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

<b>INCIDENT ADDRESS:</b> UNK	<b>DATE / TIME</b> 27-OCT-2010 UNK	<b>BEAT:</b> UNK
------------------------------	------------------------------------	------------------

### ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
CERDA, JORGE	9161	10607		313		M / S		02-MAY-1994	YES	YES
CHERNIK, MICHAEL R	9161	3491		313		M / WHI		13-OCT-1998	YES	YES
KRUGER, KARL D	9161	17501		313		M / WHI		22-MAY-2006	YES	YES
PERAINO, PAUL R	9161	15396		313		M / WHI		18-DEC-2000	YES	YES
PETRACCO, CORY C	9161	18314		313		M / WHI		25-OCT-2004	YES	YES

### REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				M /	/

### VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
	UNK		UNK	M / UNK	UNK/UNK

### WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE

\* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

### ALLEGATIONS

Note: Log "Type" remains classified as Info-Sworn Affidavit NOT on file.

(SEE ATTACHED SUMMARY DIGEST – PAGE 1 FOR ALLEGATIONS)

## SUMMARY

This investigation was initiated on 03 Feb 2014 and assigned to the undersigned 04 Feb 2014. The case file was found to contain the face sheet and civil suit # [REDACTED]. The undersigned called the reporting party, [REDACTED] for client/victim [REDACTED] with the number listed. The undersigned called the reporting party [REDACTED] on two occasions, 04 Feb 14 at 1455 hrs and 07 Feb 2014 at 1131 hrs and left a voicemail message each time. A certified letter was sent to the reporting party [REDACTED] on 04 Feb 2014. (Attachments 6-9)

The undersigned obtained copies of an Arrest Report Search dated 25 Oct -31 Oct 2009 and 25 Oct - 31 Oct 2010 which indicated that there were no arrest records found during the dates in question for client/victim [REDACTED] (Attachments 10 & 11)

No reports were requested nor statements taken from any of the accused due to the absence of a Sworn Affidavit in which the reporting party, after receiving several voicemail messages and a certified letter, failed to contact the undersigned.

Therefore, due to the non-cooperation of the reporting party, no signed Sworn Affidavit and the lack of facts or evidence found that would support or refute the reporting party's allegations, the undersigned recommends this case be classified as CLOSED-NO CONVERSION.

## ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
NONE	6-11	NONE	11

## FINDINGS - RECOMMENDATIONS

### FINDINGS:

Accused 1: CERDA, Jorge # 10607, Employee # [REDACTED]  
Allegation #1: NO AFFIDAVIT - NO CONVERSION

Accused 2: CHERNIK, Michael #3491, Employee # [REDACTED]  
Allegation #1: NO AFFIDAVIT - NO CONVERSION

Accused 3: PETRACCO, Cory #18314, Employee # [REDACTED]  
Allegation #1: NO AFFIDAVIT - NO CONVERSION

Accused 4: PERAINO, Paul # 15396, Employee # [REDACTED]  
Allegation #1: NO AFFIDAVIT - NO CONVERSION

Accused 5: KRUGER, Karl #17501, Employee # [REDACTED]  
Allegation #1: NO AFFIDAVIT - NO CONVERSION

RECOMMENDATION:  
Case to be filed

DATE INITIATED  
(Date incident was received for investigation)

04-FEB-2014

DATE COMPLETED (Date of this report)

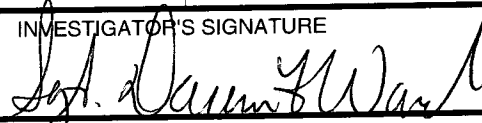
20-FEB-2014

ELAPSED TIME  
(Total time expressed in days)

17

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE



IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

Page 1

**ALLEGATIONS**

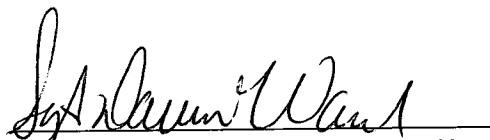
Accused 1: CERDA, Jorge # 10607, Employee # [REDACTED]  
Allegations: The reporting party alleges that on 27 OCT 2010, UNK time, UNK location, the accused wrongfully charged the victim with two counts of delivery of a controlled substance to an undercover ATF Agent.

Accused 2: CHERNIK, Michael #3491, Employee # [REDACTED]  
Allegations: The reporting party alleges that on 27 OCT 2010, UNK time, UNK location, the accused wrongfully charged the victim with two counts of delivery of a controlled substance to an undercover ATF Agent.


Accused 3: PETRACCO, Cory #18314, Employee # [REDACTED]  
Allegations: The reporting party alleges that on 27 OCT 2010, UNK time, UNK location, the accused wrongfully charged the victim with two counts of delivery of a controlled substance to an undercover ATF Agent.

Accused 4: PERAINO, Paul # 15396, Employee # [REDACTED]  
Allegations: The reporting party alleges that on 27 OCT 2010, UNK time, UNK location, the accused wrongfully charged the victim with two counts of delivery of a controlled substance to an undercover ATF Agent.

Accused 5: KRUGER, Karl #17501, Employee # [REDACTED]  
Allegations: The reporting party alleges that on 27 OCT 2010, UNK time, UNK location, the accused wrongfully charged the victim with two counts of delivery of a controlled substance to an undercover ATF Agent.

  
Sergeant Davina Ward, Star #2268  
Investigations Division  
General Investigation Section

APPROVED:

  
Case Management Supervisor 20 Feb 14  
Investigations Section  
General Investigations Section

## Attachments

No.	Type	No. of Pages	Narrative
1	FACE SHEET		
2	CONFLICT CERTIFICATION		
3	SWORN AFFIDAVIT FROM COMPLAINANT	1	Sworn Affidavit: Non-Cooperation
4	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	1	
5	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	15	
6	TELEPHONE CONTACT	1	
7	LETTER TO ATTORNEY	2	Certified Letter to Attorney
8	U.S.P.S. (USPS) TRACKING REPORT	1	
9	TO/FROM REPORT	1	
10	TO/FROM REPORT	1	
11	REPORT (OTHER)	2	Arrest Report Query